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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/582,321	05/22/2007	Robert D. Hill	049280-0102	4952
22428	7590	03/24/2010	EXAMINER	
FOLEY AND LARDNER LLP			BUI, PHUONG T	
SUITE 500				
3000 K STREET NW			ART UNIT	PAPER NUMBER
WASHINGTON, DC 20007			1638	
			MAIL DATE	DELIVERY MODE
			03/24/2010	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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WASHINGTON DC 20007

MAR 24 2010

In re Application of : DECISION ON REQUEST TO
HILL, ROBERT D. et. al. : PARTICIPATE IN PATENT
Application No. 10/582,321 : PROSECUTION HIGHWAY
Filed: May 22, 2007 : PILOT PROGRAM AND PETITION
Attorney Docket No. 049280-0102 : TO MAKE SPECIAL UNDER
: 37 CFR 1.102(d)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) pilot program and the petition under 37 CFR 1.102(d), filed November 3, 2009, to make the above-identified application special.

The request and petition are **GRANTED**.

A grantable request to participate in the PPH pilot program and petition to make special require:

- (1) The U.S. application must validly claim priority under 35 U.S.C. 119(a) to one or more applications filed in the EPO;
- (2) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the EPO application(s);
- (3) Examination of the U.S. application has not begun;
- (4) Applicant must submit a copy of all the office actions from each of the EPO application(s) containing the allowable/patentable claim(s) that are the basis for the request.
- (5) Applicant must submit an IDS listing the documents cited by the EPO examiner in the EPO office action along with copies of documents except U.S. patents or U.S. patent application publications; and
- (6) The required petition fee under 37 CFR 1.17(h).

The request to participate in the PPH pilot program and petition comply with the above requirements. It is noted that two EPO office actions were listed in the IDS filed on 5/27/2009 and the copies of the office actions have been provided. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Ram R. Shukla at 571-272-0735.

All other inquiries concerning the examination or status of the application should be directed to Patent Application Information Retrieval (PAIR) system at the <http://www.uspto.gov/ebc/index.html>.

The application is being forwarded to the examiner for action on the merits commensurate with this decision.



Ram R. Shukla, Ph.D.
Supervisory Patent Examiner
TC 1600

RAM R. SHUKLA, PH.D.
SUPERVISORY PATENT EXAMINER